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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/656,956 | 09/05/2003 | Ronald R. Hatch | 9792-0043-999 | 1669 |

24341 7590 03/30/2004

MORGAN, LEWIS & BOCKIUS, LLP.
3300 HILLVIEW AVENUE
PALO ALTO, CA 94304

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| EXAMINER |
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PHAN, DAO LINDA

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| ART UNIT | PAPER NUMBER |
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3662

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/656,956

Applicant(s)

HATCH ET AL.

Examiner

Dao L. Phan

Art Unit

3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 1995.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Copies of references cited in PTO-1449 are requested for examination.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Lupash.

Lupash teaches a computer readable medium and a method for identifying a faulty measurement including computing (fig. 2-6) a correlation value associated with each of the plurality of measurements, and selecting (fig. 2, 6, 8A, 8B) a measurement among the plurality of measurements as the faulty measurement based on the correlation values.

With regard to claim 14, Lupash teaches a method for detecting and identifying a faulty measurement among a plurality of GPS measurements including determining (fig. 2) whether the plurality of GPS measurements include a faulty measurement, and in response to a determination that the plurality of GPS measurements include a faulty measurement, identifying (col 1, lines 8+) a satellite contributing the faulty measurement by computing (fig. 2-6) a correlation value associated with each of the plurality of satellites, and selecting (fig. 2, 6, 8A, 8B) a satellite among the plurality of satellites as the satellite contributing the faulty measurement based on the correlation values.

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4. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Yu (Pat. No. 5,841,399) or Schipper et al (Pat. No. 6,114,988).

Yu teaches a computer readable medium and a method for identifying a faulty measurement including computing 24 a correlation value associated with each of the plurality of measurements, and selecting 26, 36 a measurement among the plurality of measurements as the faulty measurement based on the correlation values.

With regard to claim 14, Yu teaches a method for detecting and identifying a faulty measurement among a plurality of GPS measurements including determining (the sole figure; abstract) whether the plurality of GPS measurements include a faulty measurement, and in response to a determination that the plurality of GPS measurements include a faulty measurement, identifying a satellite contributing the faulty measurement by computing 24 a correlation value associated with each of the plurality of satellites, and selecting 26, 36 a satellite among the plurality of satellites as the satellite contributing the faulty measurement based on the correlation values.

With regard to claim 22, Yu teaches a computer readable medium including computing 24 a plurality of correlation values, each correlation value associated with one of the plurality of measurements, and selecting (the sole figure; abstract) the measurement associated with a highest correlation value among the plurality of correlation values as the faulty measurement.

Schipper et al teach a computer readable medium and a method for identifying a faulty measurement including computing (54; fig. 3) a correlation value associated with each of the plurality of measurements, and selecting a measurement among the

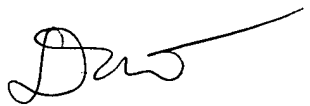
plurality of measurements as the faulty measurement based on the correlation values (56; fig. 3).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dao L. Phan whose telephone number is (703)306-4167. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tarcza Thomas can be reached on (703)306-4171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DAO PHAN
PATENT EXAMINER